GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

EFS&T Department- Diversion of 4.79 Ha. (i.e. 3.07 Ha. for Mining + 1.01 Ha. for safety zone area + 0.71 Ha. for Road area) of forest land for extraction of Black Granite in Compt.Nos.205 & 215 of Ragimanupenta and Paradarami R.Fs. of Chittoor (West) Division, in favour of M/s. B.K.R.Granites- **Stage-II** approval accorded - Orders issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (Section-II) DEPARTMENT

G.O.MS.No. 11 **Dated: 01-02-2018**

Read the following:-

1. From PCCF & HoFF, A.P, Lr Rc.No.791/2016/FCA-2,Dt.28-11-2016.
2. State Govt.Lr.No5795/Section.II/2016,dated.03-02-2017
3. From GoI, MoEF& C.C, Lr No.4-APB029/2017-CHN/1344,Dt.28-8-2017
4. From PCCF& HoFF, Lr.Rc.No.791/2015/FCA-2, Dt.19-2-2017
5. State Govt.Lr.No5795/Section.II/2016,dated.04-01-2018
6. From GoI, MoEF& C.C, Lr No.4-APB029/2017-CHN/0064,Dt.11-01-2018

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ORDER:

The Principal Chief Conservator of Forests & Head of Forest Force (HoFF), Andhra Pradesh, in his letter 1st read above, has submitted a proposal under Forest (Conservation) Act, 1980, for diversion of 4.79 Ha. (i.e. 3.07 Ha. for Mining + 1.01 Ha. for safety zone area + 0.71 Ha. for Road area) of forest land for extraction of Black Granite in Compt.Nos.205 & 215 of Ragimanupenta and Paradarami R.Fs. of Chittoor (West) Division, in favour of M/s.B.K.R.Granites and requested to forward the same to Government of India, Ministry of Environment, Forests & Climate Change, for according necessary approval under Section-2 of Forest (Conservation) Act, 1980.

2. The said proposal of Principal Chief Conservator of Forests & Head of Forest Force (HoFF), Andhra Pradesh, was sent to Government of India, Ministry of Environment, Forests & Climate Change, for their approval under Section-2 of Forest (Conservation) Act, 1980 vide State Government letter 2nd read above.

3. Government of India, Ministry of Environment, Forests & Climate Change, vide their letter 3rd read above, have accorded in-principle (Stage-I) approval under Section-2 of Forest (Conservation) Act, 1980, for the proposal, subject to compliance of certain conditions as stipulated therein. Accordingly, the State Government vide letter 5th read above, have furnished compliance report on the conditions stipulated by the Government of India, Ministry of Environment, Forests & Climate Change, while according in principle (Stage-I) approval.

4. Government of India, Ministry of Environment, Forests & Climate Change, in their letter 6th read above, have accorded **(Stage-II)** approval under Section-2 of Forest (Conservation) Act, 1980, for diversion of 4.79 Ha. (i.e. 3.07 Ha. for Mining + 1.01 Ha. for safety zone area + 0.71 Ha. for Road area) of forest land for extraction of Black Granite in Compt. Nos.205 & 215 of Ragimanupenta and Paradarami R.Fs. of Chittoor (West) Division, in favour of M/s. B.K.R. Granites, subject to compliance of certain conditions as stipulated therein.

5. Government after careful examination of the proposal, hereby accord permission to the Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, for diversion of 4.79 Ha. (i.e. 3.07 Ha. for Mining + 1.01 Ha. for safety zone area + 0.71 Ha. for Road area) of forest land for extraction of Black Granite in Compt. Nos.205 & 215 of Ragimanupenta and Paradarami R.Fs. of Chittoor (West) Division, in favour of M/s. B.K.R. Granites , subject to the following conditions:-

i. Legal status of the diverted forest land shall remain unchanged.

ii. Compensatory afforestation over identified non-forest land over an extent of 4.00 Ha., in sy.No.1347 & 1335 of Thummala (v) of Amadagur M) of Ananthapur District shall be raised and maintained by the State Forest Department from funds to which has already been deposited by the User Agency;

iii. Non-forest land which is transferred and mutated in favour of the State Forest Department for the purpose of compensatory afforestation shall be declared as Reserved Forest under Section -4 or Protected Forest under Section-29 of the Indian Forest Act, 1927 or under the relevant Section (s) of the State Forest Act. The Nodal Officer must report compliance within a period of 6 months from the date of grant of final approval and send a copy of the original notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927, or under the relevant section of the State Forest Act as the case may be, to this Ministry for information and record;

iv. Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be charged by the State Government from User Agency.

v. User Agency shall use specified area within the mining lease for dumping the overburden and the overburden shall be filled back to reclaim the mined out areas and user agency shall not use the nearby forest area for dumping of overburden;

vi. State Forest Department shall maintain safety zone area as green belt around the mining lease and to ensure dense canopy cover in the area and regeneration shall be carried out from the funds which has already been deposited by the user agency;

vii. State Forest Department shall construct chain link fencing around the safety zone area from the amount which has already been deposited by the user agency;

viii. State Forest Department shall carry out afforestation and its maintenance on degraded forest land, to be selected elsewhere measuring one and half times the area of forest land under safety zone at the project cost and shall provide the DGPS, coordinates of the area **within 6 months** from the date of issue of this letter.

ix. State Forest Department shall undertake gap planting and soil & moisture conservation activities to restock and rejuvenate the degraded open forests (having crown density less than 0.4), located in the area within 100 meters from outer perimeter of the mining lease as per the scheme furnished along compliance report from the funds which has already been deposited by the user agency;

x. User Agency shall undertake mining in a phased manner and take due care for Reclamation of the mined over area. The concurrent reclamation plan shall be executed by the User Agency in a phased manner as per the approved mining plan/ scheme and an annual report on implementation thereof shall be submitted to the Nodal Officer, F© Act, 1980 Government of Andhra Pradesh, and the Addl.Principal Chief Conservator of Forests (Central) Ministry of Environment, Forests & Climate Change, Regional Office, (South Eastern Zone) Chennai. If it is found from the annual report that the activities indicated in the concurrent reclamation plan are not being executed by the User Agency, the Nodal Officer or the Addl.Principal Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities are satisfactorily executed;

xi. The User Agency shall ensure stabilization of the overburden dumps by appropriate grading/benching so as to ensure that that angles of repose at any given place is less than 28˚;

xii. The mining shall be done in the forest area in accordance with the approved mining plan from the competent authority and mining area shall not be opened up haphazardly;

xiii. Period of diversion of the said forest land under this approval shall be co-terminus with the period of the mining lease proposed to be granted under the Mines & Minerals (Development &Regulations) amendment Act, 2015 or Rules framed there under;

xiv. User Agency shall obtain Environment Clearance as per the provisions of the Environmental (protection) Act, 1986;

xv. The consent of Andhra Pradesh State Pollution Control Board shall be obtained under the Air and Water Act before commencement of mining operations and it shall be renewed annually;

xvi. No labour camps shall be established on the forest land. User Agency shall provide firewood preferably alternate fuel to the labourers and the staff working at the site so as to avoid any damage and pressure on the adjacent forest areas;

xvii. The layout plan of the proposals shall not be changed without prior approval of the Central Government.

xviii. As the area is located on the top of the hillock, to avoid soil erosion a deep trench / stones wall may be provided all along the periphery of the proposed area at the cost of User Agency;

xix. Since the Compensatory Afforestation area is surrounded by private fields on the opposite side of R.F., a peripheral trench may be dug from protection point of view on these sides at the cost of User Agency;

xx. The User Agency and the State Government shall ensure compliance to the all Acts, Rules, Regulation and guidelines of the Ministry for the time being in force, as applicable to the project;

xxi. The Forest land shall not be used for any purpose other than that specified in the proposal and total forest area utilized for the project shall not exceed 4.79 Ha., (including safety zone area). User Agency shall furnish and undertaking to this effect;

xxii. The forest land proposed to be diverted shall under no circumstances be transferred or sublet to any other agency or Department or person without prior approval of the Central Government;

xxiii. A comprehensive monitoring shall be done at the end of five years to study the impact of mining. If it is found that the lessee has violated or is not complying with the stipulated conditions, then the approval given under the F (Conservation) Act, 1980 shall be revoked.

xxiv. The User Agency shall submit the annual self-compliance report in respect of the above conditions to the Regional Office of the Ministry and to the State Government;

xxv. Any other condition that the Addl. Principal Chief Conservator of Forests (Central) Regional Office., Chennai may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area shall be complied by the User Agency;

xxvi. In the event of failure to comply with any of the above conditions the user Agency is liable for penal action as decided by the Addl. Principal Chief Conservator of Forests (Central) Regional Office., Chennai.

6. The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.ANANTHA RAMU
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Principal Chief Conservator of Forests & Head of Forest Force,
Andhra Pradesh, Guntur.

Copy to:
The Additional Principal Chief Conservator of Forests (Central)
Government of India, Ministry of Environment & Forests,
Regional Office, 1st and 2nd Floors,
Handloom Export promotion Council Building
34, Cathedral Garden Road, Nungambakkam, Chennai – 600034.
M/s. M/s. B.K.R.Granites,
Prop: B. Vikram Reddy, D.No.1-611, Cross Road, Piler, Chittoor District, 517214.
P.S to Hon'ble M(EFS&T)
P.S to Principal Secretary to Government, EFS&T Department.
SF/SC

// FORWARDED :: BY ORDER //

SECTION OFFICER